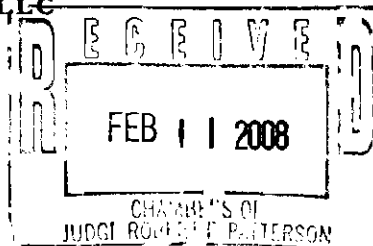


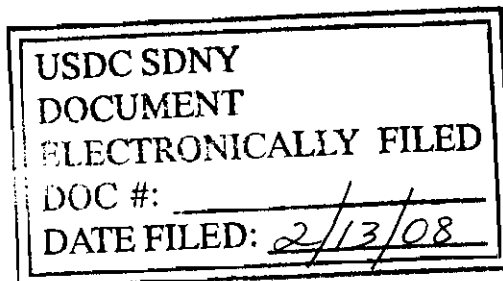
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February 11, 2008

Hon. Robert P. Patterson  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2550  
New York, NY 10007



MEMO ENDORSED

**Re: *United States of America v. Nue Vuksanaj*, Docket Number: 07 CR 00943 (RPP)**

Dear Judge Patterson:

This letter is submitted to request a modification to the motions and trial schedule in the above-captioned case. This is the defendant's second request to modify the motions schedule and the first request to modify the trial schedule.

At the present time, defense motions are due on February 18, the government's responses are due on February 25, and a hearing or oral argument on pending motions is scheduled for March 12, 2008. The matter is scheduled for trial on April 7, 2008.

After consulting with Assistant United States Massey, and with his consent, the defendant proposes the following schedule: defense motions by on or before April 4, government's response by April 11, and a hearing or oral argument on pending motions in April. This proposed schedule may permit the parties to proceed to trial on the Information not later than May 12, 2008. AUSA Massey will not be available to commence a trial after that date. *True 3/12/08 19:30*

This is counsel's second request for a modification to the motions schedule, and I believe that it is reasonable. I first filed a Notice of Appearance on or about December 18, 2007, and made my first appearance before the Court on January 4, 2008. Pursuant to a Protective Order entered by the Court, consensually monitored and recorded conversations, draft transcripts and summaries of those conversations were not disclosed to the defense until January 10, 2008. The draft transcripts and summaries of conversations are extensive. Many of the recorded conversations are in Albanian. The undersigned, who does not speak or understand Albanian, underestimated the time and complexity of reviewing the extensive recordings.

An issue has come to light which requires further investigation and research by the undersigned.

**SEE TYPEWRITTEN MEMO  
ENDORSEMENT ATTACHED**

*154 2008  
at 4 PM  
Application granted  
2010/08/13  
2/14/08*

**PULLMAN & COMLEY, LLC**  
**ATTORNEYS AT LAW**

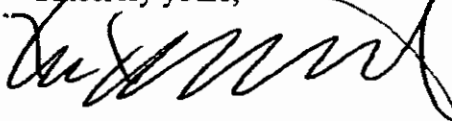
Page 2

The parties are exercising due diligence in preparing for trial. Counsel for the defendant and for the United States are working through discovery requests which may obviate the need for some motions. The parties had previously arranged for the defense to inspect physical evidence seized during the investigation. That appointment, however, had to be cancelled due to the unavailability of some of the seized evidence, and review of the physical and documentary evidence is necessary for effective preparation.

I respectfully submit that the ends of justice served by granting the requested modification to the motions schedule and change in the hearing and trial dates outweigh the best interests of the public and the defendant in a speedy trial. Further, failure to grant the requested continuance would deny the defendant reasonable time to review discovery provided to date and would deny counsel reasonable time necessary for effective preparation. It would be appropriate, therefore, to toll from computation under the Speedy Trial Act, the period of time from March 12, to the date set by the Court for a hearing or oral argument on pending motions.

I thank you in advance for your consideration of the relief requested.

Sincerely yours,



ALEX V. HERNANDEZ, Esq.  
PULLMAN & COMLEY, LLC

cc: David Massey, Assistant United States Attorney

Stamford/l.l/AHERNANDEZ/337640v1

**Case:** United States v. Nue Vuksanaj  
**Index No.** 07 Cr. 943 (RPP)

**MEMO ENDORSEMENT READS:**

*Arg. on motions - April 15<sup>th</sup>, 2008 at 4 p.m.*

*Trial 5/12/08 at 9:30 a.m.*

*Application granted.*

*So ordered.*

*Robert P. Patterson, Jr., U.S.D.J., 2/11/08*